

MEMORANDUM

TO:

FROM:

SUBJECT: 2020 Midyear Meeting of the American Bar Association and Meeting of the House of Delegates

DATE: March 25, 2020

REPORT ON THE ABA MIDYEAR MEETING

The 81st Midyear Meeting of the American Bar Association (the “ABA”) was held February 12-17, 2020, at the JW Marriott Austin Hotel, in Austin, Texas. A variety of programs were sponsored by committees, sections, divisions, and affiliated organizations.

The Nominating Committee sponsored a “Coffee with the Candidates” Forum on Sunday, February 16, 2020. The following candidate seeking nomination at the 2021 Midyear Meeting gave a speech to the Nominating Committee and to the members of the Association present, followed by a question/answer session: Deborah Enix-Ross of New York, candidate for President-Elect for the 2021-2022 term.

HOUSE OF DELEGATES

The House of Delegates of the American Bar Association (the “House”) met on Monday, February 17, 2020. William R. Bay of Missouri presided as Chair of the House. The invocation for the House was delivered by Jose Feliciano of Ohio. The Chair of the House Committee on Credentials and Admissions, Eileen M. Letts of Illinois, welcomed the new members of the House and moved that the signed roster be approved as the permanent roster for the meeting of the House. The motion was **approved**.

Chair Bay welcomed new members of the House and recognized all the lawyers who had served in the House of Delegates for more than 25 years.

Christina Plum of Wisconsin, Chair of the Committee on Rules and Calendar, provided a report on the Final Calendar for the House. She stated that in an effort to conserve resources, all supplemental materials for the House were sent electronically and posted on the House’s webpage. She moved to adopt the final calendar, and to approve the list of individuals who sought privileges of the floor. All motions were **approved**. Ms. Plum noted the deadline for submission of Resolutions with Reports for the 2020 Annual Meeting is Tuesday, May 5, 2020, while the deadline for Informational Reports is Friday, June 5, 2020. She also noted the deadline for removing an item from

the consent calendar. After the deadline had expired, Ms. Plum moved the items remaining on the consent calendar. The motion was **approved**. Ms. Plum moved to amend the final calendar. The motion was **approved**.

Chair Bay recognized Mary L. Smith of Illinois, Secretary of the Association, for approval of the Summary of Action. No changes were proposed, and Secretary Smith moved that the Summary of Action be approved as the permanent record of the House for the 2019 Annual Meeting. The motion was **approved**.

Deceased members of the House were named by Secretary Smith and remembered by a moment of silence.

For more details of the House meeting, see the following two-part report of the House session. The first part of the report provides a synopsis of the speeches and reports made to the House. The second part provides a summary of the action on the resolutions presented to the House.

I. SPEECHES AND REPORTS MADE TO THE HOUSE OF DELEGATES

Statement by the Chair of the House of Delegates

William R. Bay of Missouri, Chair of the House of Delegates, encouraged Delegates to educate colleagues about the work of the House and the Association. He directed people to the video and materials available on the website, which highlight the important work of the House. He closed by saying it is a great time to be in the House.

Statement by the ABA President

ABA President Judy Perry Martinez of Louisiana began by quoting Dr. Martin Luther King Jr. and emphasizing that a just world flows from the dignity we hold for each other and in ourselves. President Martinez explained that our service is essential to our nation of laws and the promise of justice for all. We are the voice of lawyers who make a difference for their communities through pro bono and public service, she said. Every day, in the courtroom, in the conference room, and in the classroom, lawyers articulate and implement our commitment to fairness and opportunity through the rule of law and not men, she added.

President Martinez remarked that Americans nowadays are talking about due process and evidence, attorney-client privilege, fair trials, and just punishment. She observed that however rough our current places and spaces are, however long the arc of the moral universe may be, justice is and will always be our guidepost.

President Martinez noted that judges know that the ABA provides a prominent forum for their concerns and commitment, and she recognized judges for their service to the ABA and the legal profession. She added that bar associations have a special responsibility to ensure the public understands and appreciates the criticality of our

judicial system's independence. Martinez highlighted the need for independence of U.S. immigration courts, which currently lack due process protections, and called for a new immigration court system under Article I, free from Justice Department control.

"No one, no one, should interfere with the fair administration of justice," President Martinez said. "And no one, no one, should have to live in fear for following the law and upholding our Constitution."

In highlighting the growing importance of public education about our democracy and the rule of law, President Martinez highlighted the 100th anniversary of the 19th Amendment, which guaranteed the right to vote to women. She noted that more than 120 bar associations, state courts, and other groups have showcased or will showcase the ABA's 19th Amendment traveling exhibit, which will appear in all 50 states. She also highlighted other ABA public education initiatives including Law Day and a social media campaign that features a video about the rule of law.

President Martinez recognized the Association's long-time public service evaluating nominees to lifetime positions on the federal bench, noting that the Standing Committee on the Federal Judiciary has a heavy workload under substantial time constraints and deserves our deepest appreciation.

President Martinez lauded the ABA's work to secure funding for the Legal Services Corporation despite four straight years of the administration's proposals to defund the agency. President Martinez recognized a steadfast ally in our commitment to access to justice for all, Jim Sandman, who has served as President of Legal Services Corporation for over nine years and received an ABA Presidential Citation at the recent Board of Governors meeting for his service. Members of the House recognized Sandman and his extraordinary contributions to the profession.

President Martinez pointed to the ABA's encouragement of pro bono service, including the National Celebration of Pro Bono, which featured more than 1,600 pro bono events focused on domestic violence issues in 2019. She also touted ABA's relationship with FEMA, enabling lawyer assistance in responding to 15 declared disasters across the nation, fielding more than 5,000 calls for help from victims of those disasters. More than 6,800 lawyers have registered to volunteer to answer legal questions, and we are approaching more than 100,000 submitted questions from the public, she said.

President Martinez encouraged everyone to continue to lead conversations and encourage bold thinking and data gathering on ways to deliver greater efficiencies for lawyers and potential meaningful developments to help close the justice gap.

Membership recruitment is how we strengthen our voice, President Martinez said, adding that each of us need to share our passion for the ABA, including why we belong, why we lead, and why we think membership makes you a better lawyer.

President Martinez closed by saying that the challenges that we face are many

and our work is never done, but if we continue to do our job well, with dignity for all people and respect and decency for all, we will stay focused on our mission to serve and seek justice. She called for all lawyers to remain confident in our power to achieve a more just nation and world.

Remarks by the President of the Conference of Chief Justices

The Honorable Nathan L. Hecht, Chief Justice of the Supreme Court of Texas, and President of the Conference of Chief Justices addressed the House on behalf of the Conference of Chief Justices.

Chief Justice Hecht reflected on the loss of Chief Justice Cady and his unexpected recent passing. As Chief Justice Cady would have said, it is important that justice endure. Voters refused to retain three members of the Iowa Supreme Court in reaction to a decision that Court made. Chief Justice Hecht remarked that justice endures when we propose public trust and confidence in our judicial system and when we all speak out against attacks on our fair and impartial courts.

Criticism of judicial independence is nothing new. It persists because it resonates with the public. All three branches must uphold the constitution, but the political branches must also answer to the constituencies they represent. Judges have no constituencies. Their defense of adherence to the rule of law is confined to decisions and opinions. But there is another avenue of defense. When confidence in the court is high, the public is more inclined to support judicial independence.

Recently, the National Judicial Opioid Task Force issued its report on more than two years' work. Opioid addiction heavily impacts not just criminal cases, but also family law cases and other kinds of cases. Judges are being educated on these issues and trained on best practices. The mission of the Task Force is to help lawyers and judges navigate these issues through education and reference materials. A better understanding will save individuals, family, and generations to come.

Chief Justice Hecht also discussed how the Conference of Chief Justices is focused on mental illness. The goal is to compile resources and formulate best practices to educate and train judges and lawyers. The Texas Judicial Commission on Mental Health has drawn tremendous interest, because mental health issues touch many close to home.

Everyone is vulnerable to cyber-attacks, including our courts. Courts report multiple attacks per hour. State and local government are being attacked by ransomware. Phishing is ubiquitous. Firewalls and other safeguards must be used. There is a new Joint Technology Committee that has developed resources to guide courts in ensuring cyber security.

An emerging cyber threat is disinformation. The justice system is being characterized as elitist, racist, inept, and a tool of the power to suppress the weak. A

November survey of 1000 voters showed that 62% believe the state courts are strong. 64% of voters agreed that the US system is the envy of the world. However, the promises of the greatest justice system in the history of the world are out of reach for many people it was made to service, including the most vulnerable and poor in need of its protections.

Chief Justice Hecht quoted Chief Justice John Roberts in recognizing the role that civic outreach by judges plays in promoting public confidence in an independent judiciary. Like civics outreach, state court efforts to improve the justice system to make it more fair and equitable for all promotes public trust and confidence in the judiciary. The legal profession knows and appreciates how central to our democracy is the fair and impartial administration of the law by judges.

Chief Justice Hecht closed by reporting that the state of the State Courts is strong and getting stronger.

Statement by the ABA Treasurer

ABA Treasurer, Michelle A. Behnke of Wisconsin addressed the House.

Treasurer Behnke first reported that the audit was complete for the Fiscal Year (FY), which ended on August 31, 2019, and that we received a clean (unqualified) opinion from our auditor, Grant Thornton. This included the Single Audit, which is an audit of the Association's government grants.

On a consolidated basis, we ended FY2019 with a small deficit of \$700,000. We used \$11.9 million dollars from investments to support our operations and the implementation of the value proposition. In calculating the change to net assets, the final component was the valuation of the pension plan. The pension plan is very interest rate sensitive. As of August 31, 2019, our pension liability increased by \$16.6 million. While the pension-related obligations improved from 2016 to 2017, and from 2017 to 2018, with the decline in interest rates during 2019 the total pension-related obligation increased to \$73 million for FY2019.

Through December, our revenues are a bit short. We are doing quite well on our member proposition, but this is the first year of that initiative, and there is an important difference between cash that comes in the door as compared to when we are able to recognize that revenue. We continue to successfully manage our expenses and are \$5.1 million ahead of budget on the expense side. However, we are still showing a net operating deficit of \$2.7 million dollars on a consolidated basis. The markets have been good to us so far, as we have enjoyed \$17.9 million in investment income and applied \$5.5 million of that to general operations. As a result, our net assets have improved by \$11.2 million since the end of the last fiscal year.

Looking forward to FY2021, we are beginning the budgeting process earlier and are incorporating multi-year modeling to ensure alignment with long-term initiatives, strategically supporting the enterprise and growing membership, while also creating more

predictable budgeting. We also have the ability to look strategically at what we do and how we do it and find ways to reduce our expenses. Treasurer Behnke reported that the Association would be bringing forth a budget that is both balanced and strategic in its support of our operations and the value proposition.

Statement by the ABA Executive Director

Jack L. Rives of Illinois, Executive Director of the American Bar Association, focused his remarks on how the Association is doing “better” than in the past. Our 6,000-member leaders make a difference through their commitment to the ABA and profession. We have a dedicated and experienced staff that has an average tenure of 9.2 years in our Washington, D.C. office and Chicago headquarters. While staff size has remained consistent compared to six years ago, we’ve reduced the number of positions funded by general operations from 72 percent to 47 percent, which makes more resources available for Association priorities. And we’ve reorganized the staff under our four goals, which more effectively promotes the work of our 3,500 entities and ensures a strong ABA.

Executive Director Rives then highlighted some of the important ways the Association helps the profession and the public it serves, including:

- \$77 million spent directly on charitable endeavors through the Fund for Justice and Education, and hundreds of millions of dollars’ worth of pro bono service to people all around the world;
- The Permanency Barriers Project has placed more than 3,000 children in permanent homes with new families;
- ABA Free Legal Answers has taken nearly 100,000 online questions for those below the poverty line with civil law matters;
- 70 Homeless Courts exist across the country thanks to the ABA, enabling vulnerable people to achieve self-sufficiency.
- Our Center for Innovation has begun a Data to Drive Access to Justice Project to help attorneys, judges, and others better understand the needs and market for legal services;
- Our South Texas Pro Bono Asylum Representation Project has closed almost 500 direct representation cases, achieving positive outcomes 94 percent of the time for migrants seeking asylum and reunification with their families;
- Our Justice Defenders Program helped 46 lawyers, journalists, and activists in 20 countries incarcerated under questionable circumstances over the last six months;
- Our Rule of Law Initiative’s Women and Girls Empowered program supports women economic improvement and has assisted 4,500 female entrepreneurs;
- 66 ABA amicus briefs have been filed in federal courts over the last four years, including one that helped clarify courts must use medical criteria to evaluate mental capacity in death row cases; and
- The ABA’s Standing Committee on the Federal Judiciary has evaluated more than 280 federal judicial nominees over the last three years.

Executive Director Rives noted the ABA's effective member leaders, staff, organization, and programs position us for success into the future. In addition, the value proposition implemented last year is moving us in the right direction. We set three targets for the end of Fiscal Year 2020 to determine how the value proposition is performing. As of the end of January (with six months in the fiscal year), we're at 90 percent of the \$42.7 million target for general operations dues collections, and at 89 percent of the dues-paying member target of just over 179,000. The third target was for 10,700 new dues-paying members and we have exceeded that target by 45 percent and continue to grow.

Executive Director Rives also stressed the need for member leaders to be "ABA Ambassadors" for the Association ... to take time to tell partners, associates, and other colleagues how the ABA is important; how membership can make them better lawyers; and how their joining us can help strengthen our profession.

In conclusion, Mr. Rives said the state of the ABA is better than it was, and we need to keep improving. The world needs the ABA. Society needs the ABA. Our profession needs the ABA. Our members need the ABA. And in order to be successful, the ABA needs all of us to be engaged effectively.

Report of the Nominating Committee

The Nominating Committee met on Sunday, February 16, 2020. On behalf of the Committee, Justice Adrienne Nelson of Oregon, Chair of the Steering Committee of the Nominating Committee, reported on the following nominations for the terms indicated:

Officers of the Association:

President-Elect for 2020-2021 Term
Reginald M. Turner of Michigan

Chair of House of Delegates for 2020-2022 Term
Barbara J. Howard of Ohio

Secretary for 2020-2023 Term
Pauline A. Weaver of California

Members of the Board of Governors for the 2020-2023 Term:

DISTRICT MEMBERS-AT-LARGE

District 1: Russell F. Hilliard of New Hampshire
District 2: Kevin Curtin of Massachusetts
District 4: John C. Cruden of the District of Columbia
District 6: Pamila J. Brown of Maryland
District 12: Linda S. Parks of Kansas

District 19: Andrew M. Schpak of Oregon

SECTION MEMBERS-AT-LARGE

Criminal Justice Section

Lucian E. Dervan of Tennessee

Environment, Energy and Resources

Sheila Slocum Hollis of the District of Columbia

Section of Litigation

Koji F. Fukumura of California

Young Lawyers Division

Shayda Z. Le of Oregon

GOAL III MEMBERS-AT-LARGE

Goal III Minority Member-at-Large

Marvin S.C. Dang of Hawaii

Goal III Woman Member-at-Large

Vickie Yates Brown Glisson of Kentucky

Remarks by ABA President-Elect Nominee

President-Elect Nominee Reginald Turner of Michigan thanked the members of the Nominating Committee, the officers of the Association, and all of the members of the House of Delegates for their service to this organization. He explained that service to our profession and to our nation have been passions of his for many years. His desire for bar service started as a first-year law student at the University of Michigan Law School. He met then-Michigan State Bar President, Dennis Archer, and recalled that Archer spoke about the importance of professionalism, diligence, duty, service and honor. President-Elect Nominee Turner has observed the lawyers' oath coming alive daily. He is proud of the role our profession plays in promoting the rule of law. Lawyers are passionate about our role as officers of the court, defenders of liberty, and servants of the public.

President-Elect Nominee Turner noted that we serve in an era of the proliferation of lawyer associations and lawyer education offerings. The Association has responded with the new value proposition. Dues collections are on track, non-paying dues memberships are at 145% of the goal. Our members want sound fiscal management and cost-efficient services. Our members strongly support our diversity and inclusion programs as well as our access to justice programs. The Bible, Koran, Torah all include an obligation to protect and provide for the neediest in our society. We must honor our obligation to pursue access to justice, including through *pro bono* service and support of

Association entities that help meet those needs.

President-Elect Nominee Turner is deeply grateful for this honor. He pledges to strive to fulfill Association members' expectations and the Lawyer's Oath during his tenure as President-Elect Nominee, President-Elect, and ultimately as President. He will strive to listen and learn from all ABA members to understand how we can collectively and collegially fulfill the Association's mission to serve our members, our profession, and the public, while defending liberty and the delivery of justice as the national voice for the legal profession.

II. RESOLUTIONS VOTED ON BY THE HOUSE

A brief summary of the action taken on resolutions brought before the House follows. The resolution numbers are noted in brackets.

ACCESS TO JUSTICE

[115] On behalf of the Center for Innovation, Lora Livingston of Texas moved Resolution 115, encouraging U.S. jurisdictions to consider adoption of regulatory innovation approaches to address the access to justice crisis in the United States. Don Bivens of Arizona moved to amend the resolution to remove the word "altering" and substitute the words "recommending any changes to..." The motion to amend **passed**. Henry Greenberg of New York spoke in support of the amended resolution. Mr. Bivens spoke in favor of the amended resolution. Lucian Pera of Tennessee spoke in favor of the amended resolution. Ndidi Moses of Connecticut spoke in favor of the amended resolution. Mark Martin of North Carolina spoke in favor of the amended resolution. The resolution was **adopted as revised and amended**.

ANIMAL RIGHTS

[103A] On behalf of the Tort Trial and Insurance Practice Section, Robert Peck of the District of Columbia moved Resolution 103A, urging all federal, state, local, territorial, and tribal legislative bodies to enact laws, and governmental agencies to adopt policies, that provide law enforcement officers with comprehensive animal encounter training on the reasonable use of force necessary to better secure the safety of such officers, protect public health, reduce legal liability, and ensure the humane treatment of the animals encountered. Chris Green, who received privileges of the floor, spoke in favor of the resolution. Charles Stertz of Wisconsin moved to postpone the resolution indefinitely. Stephen Saltzburg of the District of Columbia spoke in opposition to the motion to postpone indefinitely. Grant Killoran of Wisconsin spoke in favor of the motion to postpone indefinitely. Daina Bray of Tennessee spoke in opposition to the motion to postpone indefinitely. Myra McKenzie-Harris of Arkansas spoke in favor of the motion to postpone indefinitely. Karen Mathis of Colorado moved to call the previous question. The motion **passed**. The motion to postpone indefinitely **failed**. The resolution was **adopted**.

[104B] On behalf of the Section of International Law, Michael Burke of the District of Columbia moved Resolution 104B, urging the U.S. federal government and other national governments, as well as multinational and international organizations to amend existing laws or enact new enforceable laws, policies and procedures that protect and provide for the health and well-being of Military Working Dogs, whether deployed in service, retained and trained by armed forces, or deployed to armed forces through contracts with governments. Michael Burke of Washington, D.C. moved to amend the resolution to remove “and fund the coverage of veterinary care costs in retirement for their lifetimes...” The resolution was **approved as amended**.

CITIZENSHIP

[10C] On behalf of the U.S. Virgin Islands Bar Association, Anthony Ciolli of the U.S. Virgin Islands moved Resolution 10C, supporting an interpretation of the Citizenship Clause of the Fourteenth Amendment to the United States Constitution that recognizes all persons born in the territories, possessions, and commonwealths of the United States, and who are subject to the jurisdiction of the United States, as natural-born citizens of the United States; and further urges the Judiciary to declare 8 U.S.C. § 1408(1) as unconstitutional in violation of the Citizenship Clause. Mr. Ciolli moved to amend the resolution to remove the second “Resolved” clause and insert language. The motion to amend **passed**. The resolution was **adopted as amended**.

CIVIL LITIGATION

[103C] On behalf of the Standing Committee on Gun Violence, Robert Peck of the District of Columbia moved Resolution 103C, urging state, territorial and federal courts to apply the modern incorporation doctrine standards to the Seventh Amendment to the Constitution of the United States and make its formulation of the fundamental right to trial by jury in civil cases applicable to all states of the Union. W. Terry Ruckriegle of Colorado moved to amend the resolution to change “urges” to “supports the application by...” The motion to amend was **approved**. The resolution was **approved as amended**.

CIVIL RIGHTS AND SOCIAL JUSTICE

[10D] On behalf of the San Francisco Bar Association, Russell Roeca of California moved Resolution 10D, urging federal courts to interpret the relationship of federal habeas corpus and federal civil rights law to permit an individual who is ineligible for federal habeas corpus relief to bring a civil rights claim pursuant to 42 U.S.C. § 1983 for civil rights violations associated with the criminal process leading to a criminal conviction. Mr. Roeca moved to amend the resolution to remove “urges federal courts to interpret” and substitute “supports an interpretation that...” The motion to amend **passed**. The resolution was **adopted as amended**.

CRIMINAL JUSTICE

[110] On behalf of the Criminal Justice Section, Stephen Saltzburg of the District of Columbia moved Resolution 110, urging federal, state, local, territorial and tribal governments to provide courts with discretion to allow defendants to remain on bond pending sentencing following a guilty plea or conviction, as long as the court finds that the defendant is not likely to flee or pose a danger to the safety of any other person or the community if released, such as by amending 18 U.S.C. § 3143 or similar statutes in other jurisdictions. The resolution was **approved as revised**.

DISABILITY RIGHTS

[106] On behalf of the Commission on Disability Rights, Denise Avant of Illinois moved Resolution 106, urging Congress to amend the Air Carrier Access Act, 49 U.S.C. § 41705 (1986), to establish a private right of action and to provide equitable and legal relief, including compensatory and punitive damages, as well as reasonable attorneys' fees, reasonable expert fees, and the costs of the action to plaintiffs who prevail in civil discrimination actions. Marc Warren of the District of Columbia spoke in opposition to the resolution. Immediate Past President Robert Carlson of Montana spoke in favor of the resolution. Marc Maurer, who received privileges of the floor, spoke in favor of the resolution. Mark Alcott of New York moved to amend the resolution to remove references to counsel fees, expert fees, and punitive damages. Scott LaBarre of Colorado spoke in opposition to the motion to amend. Mr. Maurer spoke in opposition to the motion to amend. Ms. Avant spoke in opposition to the motion to amend. Heather Ansley of the District of Columbia spoke in opposition to the motion to amend. Mark Schickman of California moved to call the previous question. The motion to amend **failed**. The resolution was **adopted**.

DOMESTIC AND SEXUAL VIOLENCE

[10A] On behalf of the Massachusetts Bar Association, Alice Richmond of Massachusetts moved Resolution 10A, urging federal, state, local, territorial, and tribal governments to acknowledge and prioritize responding to the Missing and Murdered Indigenous Women (MMIW) crisis, and urges Congress to pass legislation that: (1) prioritizes national data collection and tribal access to that data, (2) develops inter-jurisdictional protocols, and (3) provides a holistic response. Secretary Mary Smith spoke in favor of the resolution. The resolution was **approved**.

[116] On behalf of the Commission on Domestic and Sexual Violence, Mark Schickman of California moved Resolution 116, urging Congress to amend and reauthorize the Violence Against Women Act as reflected in H.R. 1585 (as passed) and S. 2843 (as introduced), or similar legislation, that specifically provides funding to tribal governments and recognizes the inherent authority of American Indian and Alaska Native governments to prosecute non-Indian perpetrators of crimes arising from gender-based violence, while ensuring that due process rights are protected as set forth in section 234(c) of the Tribal Law and Order Act, Public Law 111-211. Gerald Gardner of California spoke in favor of

the resolution. Wendy Shiba of California also spoke in favor of the resolution. Peter Reyes of Minnesota spoke in favor of the resolution. The resolution was **adopted**.

ELECTION LAW

[108] On behalf of the Standing Committee on Election Law, Estelle Rogers of California moved Resolution 108, urging federal, state, local, territorial, and tribal governments to enact legislation that provides for voter preregistration for eligible 16-18-year-olds, and that they be added to the voter roll upon reaching the legal age for voting; for high schools and colleges to provide students a meaningful opportunity to register and vote and to provide robust civics education to promote well-informed voting; and, for governmental entities to appropriate sufficient funds to implement voter preregistration and civics education as called for by this resolution. Johnnie Nguyen of Colorado spoke in support of the resolution. The resolution was **adopted**.

[112] On behalf of the Section of Civil Rights and Social Justice, Mark Schickman of California moved Resolution 112, urging federal, state, local, territorial and tribal governments to enact legislation to remove voting barriers to Native American and Alaska Native voter registration and participation, and to establish measures to ensure protections for Native American and Alaska Native voting rights. The resolution was **adopted**.

[114] On behalf of the Coalition on Racial and Ethnic Justice, Estelle Rogers of California moved Resolution 114, urging federal, state, local, territorial, and tribal governments to enact legislation that allows for an individual to use an address other than a physical residential address for purposes of voter registration and urges the enactment of legislation or regulations that assign the voter to the precinct in which the person can be found, whether that location is expressed by a traditional address or description. The resolution was **adopted**.

[118] On behalf of the Section of State and Local Government Law, Lucy Thomson of the District of Columbia moved Resolution 118, urging the United States Congress to protect the security and integrity of U.S. federal elections by enacting legislation that authorizes and appropriates necessary funding for the National Institute of Standards and Technology. Ruth Hill Bro of Indiana spoke in favor of the resolution. The resolution was **adopted**.

GUN VIOLENCE

[107A] On behalf of the Standing Committee on Gun Violence, Joshu Harris of Pennsylvania moved Resolution 107A, urging federal, state, local, territorial, and tribal governments to enact statutes, rules and regulations that would make it unlawful for any person to transfer, sell, trade, give, transport, or deliver any unfinished firearm frame or receiver to any person (other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector) unless the unfinished frame or receiver is serialized in accordance with federal requirements for the serialization of firearms, the recipient

passes a background check consistent with the federal requirements for a licensed dealer's transfer of a firearm, and records consistent with the federal record-keeping requirements for licensed firearm dealers are created and retained. The resolution was **adopted**.

[107B] On behalf of the Standing Committee on Gun Violence, Monte Frank of Connecticut moved Resolution 107B, urging federal, state, local, territorial, and tribal governments to enact statutes, rules and regulations that would require any person seeking to purchase a firearm to apply for a permit from a designated law enforcement or public safety agency; that, at a minimum, the applicant apply in person, be fingerprinted, and be subject to a background and criminal records check; and prohibit the sale, delivery or transfer of a firearm to anyone who does not possess a valid permit. Darin Scheer of Wyoming spoke in opposition to the resolution. Beverly McQueary Smith, who received privileges of the floor, spoke in favor of the Resolution. The resolution was **adopted**.

[107C] On behalf of the Standing Committee on Gun Violence, Monte Frank of Connecticut moved Resolution 107C, urging federal, state, local, territorial, and tribal governments to enact statutes, rules and regulations that would define the requirements of safe storage of a firearm, require firearm owners to meet those requirements, promote safe storage education for firearm owners and urges the federal government to incentivize safe storage programs within the states. The resolution was **adopted**.

HOUSE OF DELEGATES MEMBERSHIP

[200] On behalf of the House of Delegates Committee on Credentials and Admissions, Eileen M. Letts of Illinois moved Resolution 200, requesting that the California Lawyers Association and the North Carolina Bar Association be granted primary State Bar Association status and be awarded additional delegate seats in the House of Delegates. The resolutions was **adopted as amended**.

HUMAN RIGHTS

[113] On behalf of the Center for Human Rights, the Honorable James Wynn of North Carolina moved Resolution 113, encouraging lawyers in all practice areas to use and promote technology-based platforms that facilitate the efficient, timely, and targeted matching of survivors of human trafficking who have legal needs with lawyers who have the requisite specialization and availability to meet those needs *pro bono*. The resolution was **adopted**.

IMMIGRATION

[117] On behalf of the Commission on Immigration, Wendy Wayne of Massachusetts moved Resolution 117, urging the federal government to maintain an asylum system that affords all persons seeking protection from persecution or torture access to counsel, due process, and a full and fair adjudication that comports with U.S. and international law. The resolution was **adopted as revised**.

INTELLECTUAL PROPERTY LAW

[101A] On behalf of the Section of Intellectual Property Law, William LaFuze of Texas moved Resolution 101A, supporting a rebuttable presumption of irreparable harm for purposes of preliminary or permanent injunctive relief in trademark infringement cases, and supports amending section 34 of the Lanham act, 15 U.S.C. § 1116, to provide for such a presumption. The resolution was **approved**.

[101B] On behalf of the Section of Intellectual Property Law, Lisa Dunner of the District of Columbia moved Resolution 101B, supporting a right that would legally compel the disclosure of internet domain name registrant contact information by any U.S. entity that administers and maintains such contact information, upon receipt of a notice alleging a legitimate interest based on the registrant's violations of applicable laws relating to intellectual property protections. The resolution was **approved**.

INTERNATIONAL LAW

[104A] On behalf of the Section of International Law, Steven Richman of New Jersey moved Resolution 104A, urging all nations, including the United States, to become party to and implement the United Nations Convention on International Settlement Agreements Resulting from Mediation (also known as the Singapore Mediation Convention). The resolution was **approved as revised**.

LEGAL EDUCATION

[100A] On behalf of the Section of Legal Education and Admissions to the Bar, Joan Howland of Minnesota moved Resolution 100A, concurring in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments dated February 2020 to Rules 13, 29, 30-36, 37, and 39 of the *ABA Standards and Rules of Procedure for Approval of Law Schools*. The House **concurred** with the action of the Council.

[100B] On behalf of the Section of Legal Education and Admissions to the Bar, the Honorable Solomon Oliver of Ohio moved Resolution 100B, concurring in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments dated February 2020 to Standards 202, 307, 310, 502, and 509 of the *ABA Standards and Rules of Procedure for Approval of Law Schools*. The House **concurred** with the action of the Council.

LETHAL FORCE

[10B] On behalf of the Massachusetts Bar Association, Kevin Curtin of Massachusetts moved Resolution 10B, urging federal, state, local, territorial, and tribal governments to examine existing policies on the use of lethal force against individuals during law enforcement encounters -- including investigative stops, arrests, and searches -- in order

to determine whether those policies should be modified to ensure that the lethal force is only employed against individuals when necessary to protect officers or public safety. Stephen Saltzburg of the District of Columbia spoke in favor of the resolution. The resolution was **approved**.

MARIJUANA LEGISLATION

[103B] On behalf of the Tort Trial and Insurance Practice Section, Michael Drumke of Illinois moved Resolution 103B, urging Congress to enact legislation to clarify and ensure that it shall not constitute a federal crime for qualified lawyers to provide legal advice and services to clients regarding marijuana-related activities that are in compliance with state, territorial, and tribal law. Stephen Cash, who received privileges of the floor, spoke in favor of the resolution. The resolution was **approved as revised**.

[103D] On behalf of the Tort Trial and Insurance Practice Section, Michael Drumke of Illinois moved Resolution 103D, urging Congress to enact legislation to clarify and ensure that it shall not constitute a federal crime for banking and financial institutions to provide services to businesses and individuals, including attorneys, who receive compensation from the sale of state-legalized cannabis or who provide services to cannabis-related legitimate business acting in accordance with state, territorial, and tribal laws. Adrian Snead, who received privileges of the floor, spoke in favor of the resolution. The resolution was **approved**.

MENTAL HEALTH

[119] On behalf of the Young Lawyers Division, Anna Romanskaya of California moved Resolution 119, urging federal, state, local, territorial, and tribal governments to appropriate and allocate funds to identify and address mental health problems experienced by youth as a result of racism, poverty, and living in high crime communities. Melissa Little, who received privileges of the floor, spoke in favor of the resolution. The resolution was **adopted**.

PARALEGAL EDUCATION

[102A] The House **approved by consent** Resolution 102A, from the Standing Committee on Paralegals, granting approval to 3 programs, grants reapproval to 19 paralegal education programs, withdraws the approval of 6 programs at the request of the institutions, and extends the terms of approval to 38 paralegal education programs.

[102B] The House **approved by consent** Resolution 102B, from the Standing Committee on Paralegals, adopting amendments, dated February 2020, to the ABA Guidelines for the Approval of Paralegal Education Programs.

REAL PROPERTY

[111] On behalf of the Section of Real Property Trust and Estate Law, Orlando Lucero of New Mexico moved Resolution 111, urging federal, state, local, territorial and tribal governments, and their respective agencies and departments, to protect real property interests, including common law trespass and privacy rights, with respect to any statute, ordinance, regulation, administrative rule, order, or guidance pertaining to the development and usage of unmanned aircraft systems over private property. Peter Langrock of Vermont spoke in favor of the resolution. The resolution was **adopted**.

SPECIALIZATION

[105] The House **approved by consent** Resolution 105, from the Standing Committee on Specialization, granting reaccreditation to the Civil Trial Law program of the National Board of Trial Advocacy and the Estate Planning Law program of the National Association of Estate Planners & Councils, Estate Law Specialist Board, Inc. of Cleveland, Ohio.

UNIFORM ACTS

[109A] On behalf of the National Conference of Commissioners on Uniform State Laws, Carl Lisman of Vermont withdrew Resolution 109A, requesting approval of the Uniform Automated Operation of Vehicles Act as an appropriate Act for those states desiring to adopt the specific substantive law suggested therein. The resolution was **withdrawn**.

[109B] On behalf of the National Conference of Commissioners on Uniform State Laws, Carl Lisman of Vermont moved Resolution 109B, requesting approval of the Uniform Electronic Wills Act as an appropriate Act for those states desiring to adopt the specific substantive law suggested therein. The resolution was **adopted**.

[109C] The House **approved by consent** Resolution 109C, from the National Conference of Commissioners on Uniform State Laws, approving the Uniform Registration of Canadian Money Judgments Act as an appropriate Act for those states desiring to adopt the specific substantive law suggested therein.

Closing Business

Chair Bay recognized Roula Allouch of Kentucky, who moved the Host Resolution. The resolution was **adopted**.

At the conclusion of the meeting of the House of Delegates on Monday, February 17, 2020, Chair Bay recognized Christina Plum of Wisconsin, who then moved the House adjourn *sine die*. The motion **was adopted**.